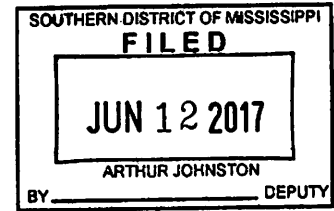


**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**



UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 2:16-cr-7-KS-MTP

CHARLES BOLTON and LINDA BOLTON

FILED UNDER SEAL BY ORDER [DOC. 273]

**RESPONSE OF JOE SAM OWEN AND OWEN, GALLOWAY & MYERS
TO THE MOTION FOR NEW TRIAL [DOC. 175],
MOTIONS TO VACATE CONVICTION AND SENTENCE OR FOR A NEW TRIAL
[DOCS. 177, 178 181] AND MOTION FOR RELEASE [DOC. 218]**

COME NOW Joe Sam Owen ("Owen"), and Owen, Galloway & Myers ("OGM") and pursuant to the Text Order of this Court entered June 6, 2017 files a single, unified Response to the Motion for New Trial [Doc. 175] the Motions to Vacate Conviction and Sentence or for a New Trial [Doc. 177, 178 and 181] and the Motion for Release [Doc. 218] filed by Charles Bolton, to-wit:

I.

Owen and OGM deny the allegations of conflict of interest and ineffective assistance of counsel as alleged in Doc. 175, 177, 178, 181 and 218 and as more fully set forth in the supporting Memorandum Brief. Although Doc. 178 involves Linda Bolton, she opted to advance argument on the John Lee conflict issue.

II.

Owen and OGM submit the following exhibits in support of this Response:

Exhibit 1 - texts Owen-Bolton March 3, 2017 - March 6, 2017.

Exhibit 2 - phone log Joe Sam Owen August 28, 2014/September 18, 2014.

Exhibit 3 - phone log Joe Sam Owen October 22, 2014.

Exhibit 4 - email transmission to James Dukes October 23, 2014.

Exhibit 5 - email transmission to Charles Bolton October 23, 2014.

Exhibit 6 - email letter from AUSA Michael Hurst October 27, 2014.

Exhibit 7 - phone log of Joe Sam Owen November 3, 2014.

Exhibit 8 - calendar of Joe Sam Owen/OGM November 5, 2014.

Exhibit 9 - checks delivered by Bolton to OGM on November 5, 2014.

Exhibit 10 - OGM bookkeeping printout.

Exhibit 11 - affidavit of Ben Galloway.

Exhibit 12 - calendar Joe Sam Owen/OGM November 18, 2014.

Exhibit 13 - phone log of Joe Sam Owen March 23, 2016.

Exhibit 14 - email on Information and Plea Agreement food theft case.

Exhibit 15 - email Joe Sam Owen to AUSA Michael Hurst January 9, 2015.

Exhibit 16 - affidavit of Melissa Ballard, OGM paralegal.

Exhibit 17 - September 19, 2016 email from Phil Hull.

Exhibit 18 - email from Charles Bolton to Owen dated August 23, 2016.

Exhibit 19 - email from Owen to Charles Bolton dated January 24, 2017.

Exhibit 20 - letter from Owen to Charles Bolton dated September 19, 2016.

Exhibit 21 - affidavit of Katie Rhodes, OGM clerk.

Exhibit 22 - affidavit of Jonah Blum.

Exhibit 23 - draft of demonstrative chart not used during the trial.

RESPECTFULLY SUBMITTED, this 11th day of June, 2017.

JOE SAM OWEN AND
OWEN, GALLOWAY & MYERS, P.L.L.C.

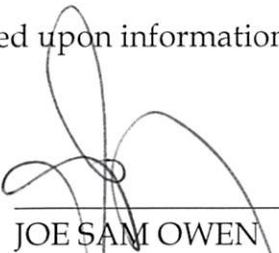
BY: 
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STATE OF MISSISSIPPI

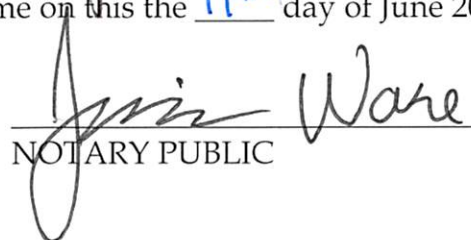
COUNTY OF HARRISON

Personally appeared before, Joe Sam Owen and Joe Sam Owen on behalf of Owen, Galloway & Myers who upon his oath says that the matters and things set forth in the unified Response and the unified supporting Memorandum Brief are true and correct as therein stated and where stated upon information, he verily believes the same to be true and correct.



JOE SAM OWEN

Sworn to and subscribed before me on this the 11th day of June 2017.



NOTARY PUBLIC



CERTIFICATE OF SERVICE

I, JOE SAM OWEN, of the law firm of Owen, Galloway & Myers, PLLC, do hereby certify that I have this date **conventionally filed under seal** the above and foregoing *Response of Joe Sam Owen and Owen, Galloway & Myers to the Motion for New Trial [Doc. 175], Motions to Vacate Conviction and Sentence or a New Trial [Docs. 177, 178, 181] and Motion for Release [Doc. 218]* with the Clerk of the Court pursuant to the Order [Doc. #273] of the Court dated June 7, 2017.

SO CERTIFIED, this the 11th day of June, 2017.



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